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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,465

09/29/2003

Alex S. Goldenberg

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01/25/2008

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EXAMINER

MOON, SEOKYUN

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

01/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/671,465

Applicant(s)

GOLDENBERG ET AL.

Examiner

Seokyun Moon

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-23 and 29-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1,3,5-23 and 29-32 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. The Applicant's arguments regarding the rejections presented in the previous Office Action will not be discussed in this correspondence since the claims of the instant application are restrictable.

Election/Restrictions

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1, 3, and 5-15, drawn to determining on-time of a control signal configured to drive an actuator of an input device, using different methods based on a result of comparison between a selected frequency of vibration and a predetermined threshold frequency, classified in class 345, subclass 156.
 - II. Claims 16-23, drawn to a method of outputting a vibration by rotating a mass so that the vibration is generated when the mass comes into contact with an obstacle member, classified in class 345, subclass 156.
 - III. Claims 29-31, drawn to a method of mapping a specific type of kinesthetic haptic effect to a specific type of vibrotactile haptic effect, classified in class 345, subclass 156.
 - IV. Claim 32, drawn to a method of outputting vibration, wherein the vibration is outputted via both of a first and a second motor or via the second motor, depending on the magnitude of a vector force, classified in class 345, subclass 156.
3. The inventions are distinct, each from the other because of the following reasons:

Inventions I, II, III, and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable.

In the instant case,

Subcombination I has a separate utility from subcombinations II, III, and IV such as in systems that do not require to generate a vibration by rotating a mass so that the mass comes into contact with an obstacle member, to map a specific type of kinesthetic haptic effect to a specific type of vibrotactile haptic effect, or to output vibration via both of a first and a second motor or via the second motor, depending on the magnitude of a vector force.

Subcombination II has a separate utility from subcombinations I, III, and IV such as in systems that do not require to determine on-time of a control signal configured to drive an actuator of an input device, using different methods based on a result of comparison between a selected frequency of vibration and a predetermined threshold frequency, to map a specific type of kinesthetic haptic effect to a specific type of vibrotactile haptic effect, or to output vibration via both of a first and a second motor or via the second motor, depending on the magnitude of a vector force.

Subcombination III has separate utility from subcombinations I, II, and IV such as in systems that do not require to determine on-time of a control signal configured to drive an actuator of an input device, using different methods based on a result of comparison between a selected frequency of vibration and a predetermined threshold frequency, to generate a vibration by rotating a mass so that the mass comes into contact with an obstacle member, or to output vibration via both of a first and a second motor or via the second motor, depending on the magnitude of a vector force.

Subcombination IV has separate utility from subcombinations I, II, and III such as in systems that do not require to determine on-time of a control signal configured to drive an actuator of an input device, using different methods based on a result of comparison between a selected frequency of vibration and a predetermined threshold frequency, to generate a vibration by rotating a mass so that the mass comes into contact with an obstacle member, or to map a specific type of kinesthetic haptic effect to a specific type of vibrotactile haptic effect. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

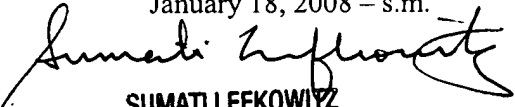
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seokyun Moon whose telephone number is (571) 272-5552. The examiner can normally be reached on Mon - Fri (8:30 a.m. - 5:00 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 18, 2008 – s.m.


SUMATI LEFKOWITZ
SUPERVISORY PATENT EXAMINER